

Remarks/Arguments

Claims 1-20 are pending in this application, and are rejected in the final Office Action of October 31, 2005.

Re: Claims 1-4, 10, 15 and 16

Claims 1-4, 10, 15 and 16 are rejected under U.S.C. § 102(e) as anticipated by U.S. Patent No. 5,892,831 issued to Schott ("Schott '831"). Applicant respectfully traverses this rejection since Schott '831 fails to teach or suggest all elements of the claimed inventions. In particular, Schott '831 fails to teach or suggest at least the following elements of independent claims 1, 10 and 15:

"means for providing tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal in a bass frequency band relative to a mid-range frequency band." (see claim 1),

"circuitry operative to provide tonal compensation for the (L+R) signal path by increasing an amplitude of an (L+R) signal in a bass frequency band and a treble frequency band relative to a mid-range frequency band" (see claim 10), and

"providing tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal in a treble frequency band relative to a mid-range frequency band" (see claim 15).

As stated above, the invention of claim 1 provides tonal compensation for an (L+R) signal by increasing its amplitude in a bass frequency band relative to a mid-range frequency band. The invention of claim 10 provides tonal compensation for an (L+R) signal by increasing its amplitude in bass and treble frequency bands relative to a mid-range frequency band. The invention of claim 15 provides tonal compensation for an (L+R) signal by increasing its amplitude in a treble frequency band relative to a mid-range frequency band. In contrast to the claimed invention, Schott '831 fails to teach or suggest, *inter alia*, providing tonal compensation for an (L+R) signal in the manner defined by independent claims 1, 10 and 15.

Regarding independent claims 1 and 15, on page 2 of the final Office Action of October 31, 2005 the Examiner relies on curve A in FIG. 3 of Schott '831 for

allegedly providing tonal compensation for an (L+R) signal by increasing the amplitude of the (L+R) signal in a bass frequency band relative to a mid-range frequency band. However, Applicant notes that curve A in FIG. 3 of Schott '831 does NOT represent an (L+R) signal, but rather represents the left channel output signal L_{OUT} (see column 3, lines 39-41 and FIG. 3). Moreover, Schott '831 expressly teaches that the net gain for the (L+R) signal is 0 dB (see column 3, lines 34-35). Accordingly, Schott '831 fails to teach or suggest, *inter alia*, providing tonal compensation for an (L+R) signal in the manner defined by independent claims 1 and 15.

Regarding independent claim 10, on page 5 of the final Office Action of October 31, 2005 the Examiner relies on curve I in FIG. 5 of Schott '831 for allegedly providing tonal compensation for an (L+R) signal by increasing the amplitude of the (L+R) signal in a bass frequency band and a treble frequency band relative to a mid-range frequency band. However, Applicant further notes that curve I in FIG. 5 of Schott '831 does NOT represent an (L+R) signal, but rather represents the amplitude response of a single channel (L or R) (see column 3, lines 55-56 and FIG. 5). Accordingly, Schott '831 fails to teach or suggest, *inter alia*, providing tonal compensation for an (L+R) signal in the manner defined by independent claim 10.

In view of foregoing clarification, claims 1-4, 10, 15 and 16 are deemed allowable over Schott '831, and withdrawal of the rejection is respectfully requested.

Re: Claims 5-9, 11-14 and 17-20

Claims 5-9, 11-14 and 17-20 are rejected under U.S.C. § 103(a) as being unpatentable over Schott '831 in view of U.S. Patent No. 5,208,493 issued to Lendaro (hereinafter, "Lendaro '493"). Applicant respectfully traverses this rejection since Lendaro '493 is unable to remedy the deficiencies of Schott '831 pointed out above with reference to claims 1-4, 10, 15 and 16. In particular, the proposed combination of Schott '831 and Lendaro '493 fails to teach or suggest, *inter alia*, providing tonal compensation for an (L+R) signal in the manner defined by independent claims 1, 10 and 15. Accordingly, the proposed combination of Schott '831 and Lendaro '493 fail to render obvious claims 5-9, 11-14 and 17-20, and withdrawal of the rejection is respectfully requested.

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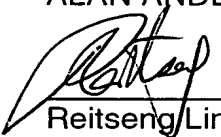
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Conclusion

In view of the foregoing arguments and remarks, Applicant believes that this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled. No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,
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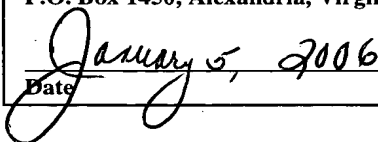
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January 5, 2006

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I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

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January 5, 2006


Patricia M. Fedorowicz